

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SUN MICROSYSTEMS, INC.,

No. C-07-05488 EDL

Plaintiff,

**ORDER REGARDING CLAIM
CONSTRUCTION**

v.

NETWORK APPLIANCE, INC.,

Defendant.

The Court has reviewed the parties' joint report regarding proposed terms for claim construction. IT IS HEREBY ORDERED that the parties shall submit briefing on terms one through ten for the upcoming claim construction. The Court will not construe proposed terms eleven through fourteen at this time. The Court notes that in construing ten terms, it will be examining seven different patents, and if it were to construe any terms beyond ten, it would need to examine at least one additional patent.

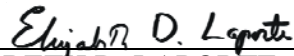
It is further ordered that the parties shall appear for a tutorial on the patents at issue on Wednesday **October 15, 2008 at 2:30 p.m.** The Court will set aside two-and-a-half hours for the tutorial. If this date is not convenient for the parties, they should contact the Courtroom Deputy within a week at (415) 522-3694 to reschedule the tutorial.

The parties shall meet and confer about how much time they anticipate needing at the upcoming claim construction hearing and how they propose to conduct it. The Court prefers to have experts available for questions by the Court at the claim construction hearing, but is open to the parties' proposals. The Court also prefers to hear both parties' arguments about each term before moving on to a subsequent term. The parties shall notify the Court about these hearing logistics no later than September 15, 2008. The parties may also request a case management conference if they

1 believe that one would be helpful in advance of the claim construction hearing. Finally, if the
2 parties believe that good cause exists for seeking page extensions for the claim construction briefs,
3 they should make such a request in a timely fashion.

4 **IT IS SO ORDERED.**

5 Dated: August 12, 2008

6 
7 ELIZABETH D. LAPORTE
8 United States Magistrate Judge
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28